



U.S. Department of Justice

United States Attorney
Southern District of New York

The Silvio J. Mollo Building
One Saint Andrew's Plaza
New York, New York 10007

September 6, 2008

BY FAX

Honorable Loretta A. Preska
United States District Judge
Southern District of New York
Daniel Patrick Moynihan
United States Courthouse
500 Pearl Street
New York, NY 10007

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #: 9/3/08
DATE FILED: 9/3/08

Re: United States v. Carlos Rivera
08 Cr. 407 (LAP)

Dear Judge Preska:

(1) The Government respectfully requests that the Court reschedule the next pre-trial conference in the above-captioned case, previously scheduled for September 4, 2008, for September 16, 2008, at 3:30 p.m. The Government also requests that the Court exclude time under the Speedy Trial Act, 18 U.S.C. 3161, et seq., until the September 16, 2008, pre-trial conference. The parties are engaged in final discussions of a possible disposition. I have spoken with the defendant's attorney, Mr. John Iannuzzi, and he has informed me that the defense has no objection to either the rescheduling or the request to exclude time. For these reasons, the Government submits that the ends of justice served by the exclusion of time outweigh the best interest of the public and the defendant in a speedy trial.

Respectfully submitted,

SO ORDERED

Loretta A. Preska
LORETTA A. PRESKA
UNITED STATES DISTRICT JUDGE

September 4, 2008

MICHAEL J. GARCIA
United States Attorney

By

RANDALE W. JACKSON
Assistant United States Attorney
Tel: (212) 637-1029
Fax: (212) 637-2390

cc: John Iannuzzi,
Attorney for the defendant
Fax: (212) 227-2099